

FINDING OF NO SIGNIFICANT IMPACT

PN-FONSI-04-06

Black Canyon Reservoir and Montour WMA Resource Management Plan

Introduction

The Bureau of Reclamation (Reclamation), Snake River Area Office has completed a planning and public involvement process for the purpose of preparing a Resource Management Plan (RMP) for the administration of resources, facilities, and access at Black Canyon Reservoir and Montour Wildlife Management Area (WMA). There is no resource plan for Black Canyon Reservoir and Reclamation's management plan for the Montour WMA, prepared in 1984, does not reflect existing conditions or management concerns. The RMP addresses current issues and identifies goals and objectives for future management of Reclamation lands and waters within the RMP Study Area.

The National Environmental Policy Act (NEPA) of 1969 requires Reclamation to explore a range of possible alternative management approaches and analyze the environmental effects of these actions. Scoping activities were conducted prior to development of the Draft Environmental Assessment (EA) to gather input on issues to be considered in the formulation of management alternatives. A Draft EA evaluating the effects of a No Action and Preferred Alternative was distributed for public review in September 2003.

Alternatives Analyzed in the Draft EA

Reclamation began the public involvement process with a scoping meeting held in April 2002. The meeting was announced in the general area newspapers and through a newsletter sent to user groups, nearby residents, and agencies. An Ad Hoc Work Group (AHWG) was formed to identify issues and assist in development of RMP alternatives. A Preferred Alternative was identified and refined through this process. An Alternative A - No Action: Continuation of Existing Management Practices and Alternative B - Preferred Alternative: Enhancement of Natural and Cultural Values were addressed in the Draft EA. Alternative B - Preferred Alternative identified in the Draft EA was modified and is presented in the Final EA.

Proposed Action

The proposed Federal action is implementation of the Preferred Alternative presented in the Final EA. The Preferred Alternative identifies the Black Canyon Reservoir and Montour WMA RMP as the guide for future use, management, and site development of Reclamation lands and resources. The RMP contains management goals and objectives, and specifies desired land use

patterns and resource management. The RMP addresses the policies and actions that would be implemented or allowed during the 15-life of the plan to achieve identified goals and objectives.

Consultation and Coordination

Public

The goal of the public involvement and scoping process was to notify and inform all interested parties, including the local communities. The process ensured that all parties had ample opportunity to express their interests, concerns, and viewpoints, and to comment on the plan as it was developed. Reclamation's public involvement process involved the following key components:

- **Newsbriefs**—A newsletter was initially mailed to more than 140 user groups, nearby residents, and agencies. The mailing list was expanded as more interested parties were identified. Three newsbriefs were issued during the RMP process, with a fourth being released upon completion of the RMP and Final EA.
- **Public Meetings/Workshops**—Two public meetings were held during the RMP/EA process in Emmett, Idaho. The first meeting was held early in the process to solicit public input (scoping) related to issues and opportunities. The second public meeting was held after the release of the Draft EA to collect public comment.
- **Ad Hoc Work Group**—This group consists of approximately 19 representatives from interested groups and agencies. They met four times to identify issues, and assist with RMP update and alternatives development.
- **RMP Study Web Site**—Newsbriefs, draft materials, and meeting announcements were continuously posted and updated throughout the RMP/EA process at a dedicated web site: <http://www.usbr.gov/pn>. Final materials will also be posted at this site.
- **News Releases**—Periodically, Reclamation prepares RMP news releases for distribution to local media, which generally result in press coverage of the process and public notification.

U.S. Fish and Wildlife Service (FWS)

The evaluation of listed species contained in the Final EA serves as Reclamation's biological assessment as required under the Endangered Species Act (ESA). It evaluates impacts to listed, and species proposed for listing, including Ute ladies'-tresses orchids, bald eagles, Canada lynx, gray wolf and bull trout. Reclamation has determined that the Preferred Alternative may affect, but is not likely to adversely affect, Ute-ladies'-tresses, bald eagle, Canada lynx, gray wolf, and bull trout. Implementation of the Preferred Alternative will not result in any adverse effects on critical habitat proposed for bull trout in Squaw Creek. The FWS has concurred with Reclamation's determination regarding ESA species and proposed critical habitat.

National Oceanic and Atmospheric Administration

National Marine Fisheries Service (NOAA Fisheries)

The Preferred Alternative to implement the RMP does not involve a change in reservoir operations. No ESA listed anadromous fish are known to occur within the Study Area precluding the need to consult with NOAA Fisheries.

Idaho State Historic Preservation Officer

Reclamation collected existing cultural resource information from the Black Canyon and Montour areas, and conducted a Class III cultural resources survey on portions of the RMP Study Area to prepare the EA, and to facilitate subsequent compliance with the National Historic Preservation Act (NHPA). Compliance with NHPA requires agencies to consult with Native American Tribes if a proposed federal action may affect properties to which they attach religious and cultural significance. Coordination with the Idaho State Historical Preservation Office occurred in conjunction with public review of the Draft EA. SHPO stated their “cautious” support of the Preferred Alternative and wanted to be assured that as development increased, projects would be reviewed under Section 106 of NHPA by involving Reclamation cultural resource staff at the early stages of project planning. All SHPO comments and recommendations addressed in the Final EA, Chapter 4, Section 4.2.2 were concordant with management actions described in the Preferred Alternative and were accordingly incorporated into the RMP. Future activities in response to specific RMP prescriptions will require consultations with the SHPO and the Tribes pursuant to NHPA and the 36 CFR 800 implementing regulations.

Tribal Consultation and Coordination

Consultation with Tribes

The RMP and EA were distributed to representatives from the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes. Tribal representatives that received the Final EA are listed in Chapter 7, Distribution List.

Indian Sacred Sites (Executive Order 13007)

Reclamation coordinated with the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes regarding Indian Sacred Sites and the RMP through written notifications and meetings.

Indian Trust Assets

Reclamation coordinated with the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes to identify Indian Trust Assets (ITAs). ITAs are discussed in the RMP Final EA, Chapter 3, Section 3.13.

Summary of Public Comments

The Black Canyon Reservoir and Montour WMA RMP Draft EA was released for public review in late September 2003, with a 45-day comment period ending November 14, 2003. By the end

of the public comment period, 16 individual or group comments were received, which includes 11 individuals who submitted copies of the same comment. Overall, there were few comments regarding the analysis of environmental impacts in the Draft EA. Nearly all comments pertained to elements of the Preferred Alternative that respondents either favored or objected to. Many of the comments focused on three main subject areas: lack of favor for additional ponds at the Montour WMA; support for more recreational access and a diversity of uses; and support and opposition for designation of a no-wake zone. Several other subjects were commented on by respondents which are summarized in the RMP Final EA, Chapter 4, Section 4.1.1.

Changes in the Final EA

Notable changes include dropping the proposed no-wake zone upstream of the mouth of Squaw Creek from the Preferred Alternative. Gem County has jurisdiction on the water surface and this action would require a County ordinance and enforcement by the Sheriff, therefore this action would not be initiated by Reclamation. The Preferred Alternative was also changed for “Special Events” in the Montour WMA to read, “No special events allowed at Montour WMA that are incompatible with wildlife management goals and objectives.” The proposal to consider constructing a small marina at or in the vicinity of Black Canyon Park was also dropped from the Preferred Alternative given that there is private interest in providing a marina on the reservoir. Additionally, discussion of the Black Canyon Partnership development was added to 3.14 and is discussed under Cumulative Impacts.

Summary of Environmental Impacts

The following subject areas were analyzed for the Preferred Alternative in the RMP Final EA.

- **Water Quality and Contaminants**—At the Montour WMA, using water for wetlands may benefit water quality. Increased stormwater runoff from expansion of recreation facilities would be mitigated by individual project design and implementation of BMPs.
- **Vegetation**—Additional funding and a higher priority for the Integrated Pest Management (IPM) Plan would control the spread of weeds and restore low value weed-infested areas back to higher value wildlife habitat and watershed.
 - a. Vegetation loss through expansion of Black Canyon and Cobblestone Parks would be mitigated by project design and protective measures taken during construction.
 - b. Eliminating special events at the Montour WMA that are not compatible with wildlife goals and objectives precludes vegetation damage from trampling, and the spread and possible introduction of weeds associated with these activities.
 - c. Pond development and management would consider sensitive plants species and wetland communities. Management would include monitoring and control of invasive plants, such as Eurasian watermilfoil.
 - d. Implementing and monitoring grazing management changes that are consistent with WMA goals is likely to benefit native wet meadow and riparian vegetation.

- **Wildlife**—Effects from livestock grazing and other consumptive uses would be less at the Montour WMA given the emphasis placed on habitat management, and the review of user leases and requests to ensure they are compatible with wildlife management goals.
 - a. Potential additional funding and a higher priority for implementation of an IPM Plan could benefit several sensitive species by reversing current conditions and avoiding future habitat degradation that results from weed infestations.
 - b. Moving special events to Triangle Park rather than permitting them at the Montour WMA will avoid impacts to sensitive and other wildlife species.
- **Aquatic Resources**—The composition of fish species would remain similar to existing conditions, and there may be a possible increase in population numbers through improved habitat, and development and stocking of ponds in the Montour WMA.
- **Threatened and Endangered Species**—There may be possible minor benefits to proposed critical habitat for bull trout near the mouth of Squaw Creek from actions directed at protecting and enhancing riparian habitat along the reservoir.
- **Recreation and Access**—Angler access to the Payette River below Black Canyon Dam and to the reservoir would be improved.
 - a. Overall wildlife and vegetation management improves opportunities for consumptive and non-consumptive recreational activities.
 - b. Implementation of a recreation use monitoring program will assess recreation carrying capacity and allow management activities to respond to changing demands over time.
 - c. Recreation management strategies will encourage use of appropriate lands, and enhance user experience by reducing hazards, improving traffic circulation and providing additional formalized recreation opportunities.
 - d. Management actions related to hunting, fishing, and trapping will beneficially affect recreation opportunities at the Montour WMA.
 - e. The impact of the regional population on recreation resources will be decreased given the actions to provide additional recreation facility capacity, and enhanced user experience and satisfaction.
- **Land Use**—Contingent on the cooperation among Reclamation, other agencies, and private land owners for the establishment of Best Management Practices (BMP's) for offsite (non-Reclamation land) activities, a minor potential beneficial impact to land use would result through avoidance of indirect impacts such as erosion, sedimentation, and decreased water quality.
 - a. Expansion of the Montour WMA would have a beneficial effect on land use by placing additional land under cooperative management with Idaho Department Fish and Game (IDFG) for protection and enhancement of wildlife habitat, and for provision of recreational activities compatible with WMA goals.

- b. Improvement and enhancement of existing recreational sites places emphasis on day use of group facilities at several of the parks. Concentrating day use at existing sites is a minor beneficial impact to land use.
- **Socioeconomics**—There are minor socioeconomic impacts from possible employment opportunities associated with increasing park staff and outside support service needs, and a slight beneficial impact on the local economy.
 - a. Improvement and expansion of existing recreation facilities would generate additional funds from fees charged for parking, group picnic reservations, and special events.
 - b. Expansion of the Montour WMA may generate additional funds from hunting and fishing use, and collection of associated license fees.
 - c. If agricultural leases were discontinued within the Montour WMA there could be a minor adverse impact to the leaseholders who use these lands to produce income.
- **Environmental Justice**—There could be a possible nominal fee increase or new assessment for use of recreation facilities. While no minority group would be disproportionately affected, in general, lower income families or individuals would be affected by fees to a greater extent than middle or upper income groups.
- **Cultural Resources**—There will be a greater opportunity for proactive cultural resource protection and management through increased public awareness and historic designations.
- **Indian Sacred Sites**—The compromising of sacred sites by vandalism and relic collecting, and through land use activities, recreation and development is less under a more focused, controlled, and formalized land use management plan.
- **Indian Trust Assets**—There are no direct impacts to the right(s) to hunt, fish, or gather that may exist.

Environmental Commitments

Reclamation will implement the environmental commitments listed in the Final EA to avoid or minimize effects to resources from RMP implementation activities. These activities include BMP's as well as mitigation measures for protection of certain resources.

Best Management Practices

BMP's for the following categories will be implemented as specified in the Final EA:

- Landscape Preservation and Impact Avoidance
- Erosion and Sediment Control
- Biological Resource
- Site Restoration and Revegetation
- Pollution Prevention
- Noise and Air Pollution Prevention

- Cultural Resource Site Protection
- Miscellaneous

Mitigation Measures

Mitigation measures are environmental commitments intended to compensate for impacts that cannot be avoided through implementation of BMP's.

Vegetation

- In addition to Reclamation's overall planned increase in noxious and invasive weed control efforts, all sites that are disturbed for facilities shall be actively monitored for these plants. All infestations would be treated in accordance with accepted methods and agreements with IDFG and Gem County, and in accordance with Reclamation's IPM Plan.
- The expansion proposed for Black Canyon Park is along a riparian edge of the reservoir. The expansion design will include removing false indigo and other weedy species that are invading along the riparian zone, and leaving native vegetation in place.
- The expansion proposed for Cobblestone Park would be located on a gravel substrate within the floodplain of the Payette River. Although much of it has been invaded by weeds, many areas have native cottonwood and willow. The proposed expansion for Cobblestone Park will be designed to conserve the trees and shrubs onsite, to control weeds, and to limit vehicle use to roadways.
- Where appropriate and cost effective, both expansions will further compensate for impacts on vegetation resources by landscaping the expanded and disturbed areas with native plants instead of with the mix of exotic lawn and tree species that were used for the existing parks.

Wildlife

- Reclamation would replace the area and habitat value of all wetland and riparian areas that would be directly impacted or degraded by implementation of this alternative.
- New wetlands/open water ponds created within the Montour WMA will be developed in upland areas if possible, considering the location of available water source. Where possible, this action could avoid impacts on wildlife that use wet meadows, which is also a valuable habitat type.
- Future development of new emergent wetlands/open water ponds may be in wet meadow areas because of the location of water sources. No ground disturbing activities would be undertaken before a field review was conducted to determine the likelihood of occurrence of sensitive species (e.g. spotted frog). If warranted, a sensitive species survey would be conducted following established protocols and seasonal requirements. Project implementation and design would be based on the findings of the survey.
- Additional wildlife species are likely to become rare over the 15-year time frame of the RMP. Appropriate site clearances following established protocols will also be conducted for other wildlife species that become rare during that period, prior to ground disturbance

Cultural Resources

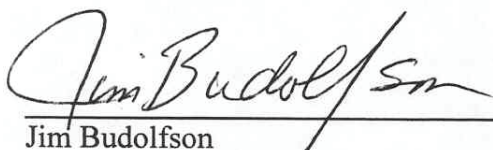
Mitigation under all alternatives would occur if cultural resources are present that are eligible for the National Register, and if they are being adversely impacted by reservoir operations or land uses or are being damaged by natural agents. If an action is planned that could adversely impact an archaeological or historic resource, then Reclamation would investigate options to avoid the site. Cultural resource management actions for impacted sites would be planned and implemented in accordance with consultation requirements defined in 36 CFR 800, using methods consistent with the Secretary of the Interior's Standards and Guidelines.

Finding

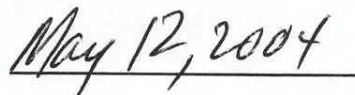
Based on the analysis of the environmental impacts in the EA, environmental commitments to avoid and reduce impacts, and consultation with potentially affected tribes, agencies, organizations and the general public, Reclamation concludes that implementing the Preferred Alternative, with changes described in the Final EA would not have a significant impact on the quality of the human environment or the natural and cultural resources in the project area. The RMP will serve as a detailed guide for the future use, management, and site development of Reclamation lands and resources at Black Canyon Reservoir and Montour WMA. Additional NEPA documentation will be prepared for site-specific RMP actions.

This **Finding of No Significant Impact** has therefore been prepared and is submitted to document environmental review and evaluation in compliance with NEPA.

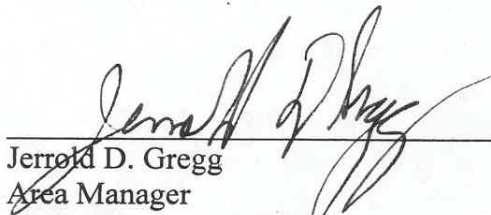
RECOMMENDED:



Jim Budolfson
Resource Manager
Snake River Area Office
Boise, Idaho



APPROVED:



Jerrold D. Gregg
Area Manager
Snake River Area Office
Boise, Idaho

